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SUBJECT: ZEBARI URGES INCREMENTAL ACTION ON 140; COMPLAINS
OF TURKISH MEDDLING

Classified By: Classified by Special Adviser David Pearce for Reasons 1
.4(d/b)

11. SUMMARY. (C) In a short January 31 meeting, Foreign Minister Zebari told Special Adviser Pearce that to create momentum that would facilitate resolution in areas with more complex problems, the USG and UNAMI should focus their Article 140-related work on disputed territories where the issues were more "clear cut." Pearce argued that solving technical issues and mustering adequate political will were the only way to move forward across the spectrum of Article 140 topics. Zebari described UNAMI's proposals as "workable" and agreed that all parties should downplay deadlines and emphasize implementation progress. Without being specific, Zebari hinted the Turks were trying to interfere with the 140 process but conceded that they had never raised the issue with him. END SUMMARY.

12. (C) Zebari opened by relating to Special Adviser David Pearce and Political Counselor Matthew Tueller that Massoud Barzani was "so upset" by reports the Prime Minister had dissolved the Article 140 committee that he had instructed Zebari to "pack his bags" if they proved correct. Zebari claimed that Barzani had gotten "the wrong end of the story" and calmed his nephew down by explaining that the Prime Minister had merely postponed a committee hearing about disputed territories in Southern governorates. Zebari volunteered that President Talabani was in Erbil urging his (PUK) people "to take it easy" on the 140 issue, particularly in light of some recent media comment that 140 was "dead." Zebari assessed that the six-month postponement was "a good thing" which did not at all signal the Article 140 process was dead. Both agreed that at this stage it would be best if parties downplayed deadlines and stressed implementation progress.

13. (C) Zebari noted he had recently spoken to SYGSR Staffan de Mistura who suggested that passing national hydrocarbon legislation would make resolving Article 140 issues easier. Zebari characterized de Mistura's 140 proposals as "workable" and Special Adviser Pearce stressed that the USG "strongly" supported UNAMI and de Mistura's work. The Secretary's December 18 visit to Kirkuk, Pearce continued, had been intended to signal the USG's commitment to finding a solution to disputed territories issues. Pearce explained that the Secretary was originally scheduled to visit Anbar, but that

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Embassy Baghdad argued successfully that Article 140's importance compelled her visit to Kirkuk.

14. (C) Zebari maintained that the USG and UNAMI would be best served to deal first with "clear cut" disputed territories like Makhmur, and Akraa and by so doing create adequate momentum to tackle areas with more complex issues. Pearce countered this "low hanging fruit" argument by saying that in order to proceed, the parties had to address fundamental technical and political questions. On the

technical side, Pearce said that, for example, the parties had to create practical property claim compensation mechanisms and clearly define what boundaries were disputed. He added that UNAMI had specific expertise to assist with many technical issues. Pearce also stressed that the Article 140 Committee had to include more Sunnis to dispel perceptions of an imbalance favoring Kurdish and Shi'a interests.

15. (C) On the political front, Pearce acknowledged that the need to deal with Southern disputed territories made the Kirkuk question more complex, because it threatened at any moment to disrupt the sequence of events in the North. Once the technical issues were in order and the facts were no longer in dispute, Pearce said the decision of "what went where" would be political, perhaps taken at the Presidency Council-level. Pearce stressed that it was up to the political leaders ultimately to decide "what were the trade-offs."

16. (C) Without being specific, Zebari also said that the Turks were "making noise" about the Article 140 process. Under no circumstances, he continued, should the Government of Turkey be allowed to intervene in these "most sensitive" issues. It was extremely important, he groused, to avoid even the "appearance" of Turkish meddling. However, to the Political Counselor's direct question, Zebari conceded that the Turks had "never" raised Article 140 directly with him.
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